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January 31, 2024

Via ECF

Hon. Victoria Reznik
United States District Court for the
Southern District of New York
300 Quarropas Street, Room 630
White Plains, NY 10601

MEMO ENDORSED

Re: *IBM Corp. v. Micro Focus (US), Inc.*, No. 22 Civ. 9910 (S.D.N.Y.)

Dear Judge Reznik:

I write on behalf of Plaintiff IBM Corp. ("IBM") to request leave, pursuant to the Southern District of New York's Electronic Case Filing Rules & Instructions Rule 6.1, to file under seal Exhibits 1 and 2 to IBM's Response to Micro Focus's Objection to Magistrate Judge Reznik's Order. The exhibits contain deposition transcripts that have been designated Confidential and Highly Confidential by Micro Focus and third-party Ms. Christine Didigu that must be treated as Confidential or Highly Confidential Information under the Protective Order by the Parties. Dkt. No. 113 ¶ 2(a)(iv). Accordingly, IBM respectfully requests leave to file these exhibits under seal.

Sincerely,



Joshua L. Simmons

Cc: Counsel of record (via ECF)

Plaintiffs' request to seal is GRANTED pending further submission by the parties.

By Tuesday, 2/6/24, Defendant is to submit a letter regarding their position on sealing ECF Nos. 161-1 and 161-2. The Clerk of Court shall maintain ECF Nos. 161-1 and 161-2 temporarily under seal pending further submission from Defendant.

SO ORDERED.



Hon. Victoria Reznik, U.S.M.J. Dated: 2/1/24